

## **IC 33-38-12**

### **Chapter 12. Defense and Indemnification of Judges for Civil Damages**

#### **IC 33-38-12-1**

##### **Application of chapter**

Sec. 1. This chapter does not apply to a threatened, pending, or completed action or proceeding that:

- (1) results in the criminal conviction of; or
- (2) is a disciplinary action or proceeding against; a judge.

*As added by P.L.98-2004, SEC.17.*

#### **IC 33-38-12-2**

##### **"Expenses" defined**

Sec. 2. As used in this chapter, "expenses" includes the following:

- (1) Reasonable attorney's fees, if the attorney general has authorized the executive director of the division of state court administration to hire private counsel to provide the defense.
- (2) A judgment.
- (3) A settlement.
- (4) Court costs.
- (5) Discovery costs.
- (6) Expert witness fees.
- (7) Any other expense incurred as a result of an action or a proceeding.

*As added by P.L.98-2004, SEC.17.*

#### **IC 33-38-12-3**

##### **"Judge" defined**

Sec. 3. As used in this chapter, "judge" means an individual who holds or formerly held one (1) of the following offices or appointments:

- (1) Justice of the supreme court.
- (2) Judge of the court of appeals.
- (3) Judge of the tax court.
- (4) Judge of a circuit court.
- (5) Judge of a superior court.
- (6) Judge of a probate court.
- (7) Judge of a municipal court.
- (8) Judge of a county court.
- (9) Judge of a city court.
- (10) Judge of a town court.
- (11) Judge of a small claims court.
- (12) A judge pro tempore, senior judge, temporary judge, or any other individual serving as judge in an action or a proceeding in an Indiana court.
- (13) Bail commissioner.
- (14) Magistrate.
- (15) Master commissioner.

(16) Probate commissioner.

(17) Referee.

*As added by P.L.98-2004, SEC.17.*

#### **IC 33-38-12-4**

##### **Payment of expenses**

Sec. 4. The state shall pay the expenses incurred by a judge from a threatened, pending, or completed action or proceeding that arises from:

(1) making;

(2) performing; or

(3) failing to make or perform;

a decision, a duty, an obligation, a privilege, or a responsibility of the judge's office.

*As added by P.L.98-2004, SEC.17.*